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Cc: []

From: CN=Bob Sussman/OU=DC/O=USEPA/C=US

Sent: Fri 6/22/2012 5:04:55 PM

Subject: Fw: From EnergyWire -- HYDRAULIC FRACTURING: White House delaying BLM rule at industry's request

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More on Zichal --

Note this comment:

The comment period extension is one of a number of examples Zichal cited during her appearance before the Natural Gas Roundtable yesterday in which the administration has fulfilled requests from industry. Another is a task force set up to resolve drillers' concerns about a multiyear study of hydraulic fracturing by the United States. "That's an area where we heard loud and clear about some concerns about testing protocols and directionally where the EPA was going with that," Zichal said. "We want to create a better dialogue. We're working to fix that."

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----- Forwarded by Bob Sussman/DC/USEPA/US on 06/22/2012 12:59 PM -----

From: Ann Campbell/DC/USEPA/US@EPA

To: Bob Sussman/DC/USEPA/US@EPA, Bob Perciasepe/DC/USEPA/US@EPA

Date: 06/22/2012 10:10 AM

Subject: From EnergyWire -- HYDRAULIC FRACTURING: White House delaying BLM rule at industry's request

This EnergyWire story was sent to you by: campbell.ann@epa.gov

Personal message: another story out of Zichal's shop....

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HYDRAULIC FRACTURING: White House delaying BLM rule at industry's request (Friday, June 22, 2012)

Mike Soraghan, E&E reporter

The Obama administration is delaying the Bureau of Land Management's hydraulic fracturing rules at the

request of industry, a top White House official said, to fix what she deems problems.

"We know that there are some pretty significant things within that proposal that need to be fixed and addressed, and we're going to do that," Heather Zichal, President Obama's top adviser on energy and climate change issues, told a roomful of people from the natural gas industry yesterday.

The delay is to be printed in the Federal Register early next week, possibly Tuesday. Zichal said she expects a formal announcement within days.

"Mostly in response to concerns we have heard from industry about the need to extend that comment period, we will be extending that comment period," Zichal said.

The comment period is set to expire July 10, so the two-month extension will put the end of the comment period in early September. Top BLM officials will be meeting next week with representatives of environmental groups, according to one invitee, and separately with representatives of the oil and gas industry.

Dave Alberswerth, who handles BLM issues for the Wilderness Society, said such extensions are common. But Zichal's comments had him worried that the idea is to make the rules more industry-friendly.

"Let's hope they're not already backing away from their own proposal, which many conservationists think needs to be strengthened," he said.

Let's talk BLM

The comment period extension is one of a number of examples Zichal cited during her appearance before the Natural Gas Roundtable yesterday in which the administration has fulfilled requests from industry.

Another is a task force set up to resolve drillers' concerns about a multiyear study of hydraulic fracturing by the United States.

"That's an area where we heard loud and clear about some concerns about testing protocols and directionally where the EPA was going with that," Zichal said. "We want to create a better dialogue. We're working to fix that."

And she said the administration has put together a working group including EPA and the Office of Science and Technology Policy to resolve the gas industry's complaints about EPA figures on the amount of gas that drillers vent into the atmosphere.

"We have heard you on your concerns. We have put our best and brightest minds together on this," Zichal said.

EPA, she said, will have to address a petition from environmental groups calling for disclosure of fracturing chemicals through the Toxic Substances Control Act, or TSCA. She said the administration will do it with an eye toward what companies are already disclosing, specifically citing the industry-favored FracFocus.org registry.

"We're looking at existing platforms like FracFocus, so that so we're not creating new regulatory hurdles that make your job impossible," she said.

She also said that pushing natural gas vehicle legislation through Congress would be a priority if Obama wins a second term. But she seemed eager to talk about the BLM rule. When the room grew silent during questions, she jokingly asked why there hadn't been any questions about it.

"What's lunch without a BLM fracking question?" she quipped.

She then got a question about the general landscape for fracturing and steered it through EPA matters to the BLM rule, which would require disclosure of fracturing chemicals, higher well-construction standards and address wastewater disposal.

Industry groups such as the American Petroleum Institute have complained about the cost of the rule, and the potential for duplication with the states.

One potential "fix" involves FracFocus. The BLM proposal was vague on whether the agency would allow disclosure through the registry created by the Interstate Oil and Gas Compact Commission and the Ground Water Protection Council.

Zichal indicated that future drafts would be more definite in saying FracFocus, which has drawn criticism from environmentalists and open-government groups, will be the sufficient for disclosure (E&ENews PM, June 21).

An earlier draft had provisions even more disliked by industry, which would have ordered companies to report what chemicals they planned to use before fracturing, in addition to a follow-up report stating what chemicals were used. That proposal was based on a Wyoming rule enacted before FracFocus was launched.

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